# Exhibit 15

Approved for use through 10/31/2021. OMB 0651-0055

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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## Combined Declaration of Use and Incontestability under Sections 8 & 15

### The table below presents the data as entered.

Input Field	Entered				
REGISTRATION NUMBER	4857505				
REGISTRATION DATE	11/24/2015				
SERIAL NUMBER	86060777				
MARK SECTION					
MARK	KUNG FU TEA (see, mark)				
ATTORNEY INFORMATION (current)					
NAME	Matthew D. Asbell				
ATTORNEY BAR MEMBERSHIP NUMBER	XXX				
YEAR OF ADMISSION	XXXX				
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX				
FIRM NAME	Offit Kurman, P.A.				
STREET	590 Madison Avenue, 6th Floor				
CITY	New York				
STATE	New York				
POSTAL CODE	10022				
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
PHONE	9294760048				
FAX	212.545.1656				
EMAIL	trademarks@offitkurman.com				
DOCKET/REFERENCE NUMBER	0565-26.09				
ATTORNEY INFORMATION (proposed)					
NAME	Matthew D. Asbell				
ATTORNEY BAR MEMBERSHIP NUMBER	XXX				
YEAR OF ADMISSION	XXXX				
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX				
FIRM NAME	Offit Kurman, P.A.				
STREET	590 Madison Avenue, 6th Floor				
CITY	New York				
STATE	New York				
POSTAL CODE	10022				

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COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
PHONE	9294760048				
FAX	212.545.1656				
EMAIL	trademarks@offitkurman.com				
DOCKET/REFERENCE NUMBER	0565-26.09				
CORRESPONDENCE INFORMATION (current)					
NAME	Matthew D. Asbell				
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	trademarks@offitkurman.com				
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	matthew.asbell@offitkurman.com; alison.pratt@offitkurman.com; tom.pitegoff@offitkurman.com				
DOCKET/REFERENCE NUMBER	0565-26.09				
CORRESPONDENCE INFORMATION (prop	osed)				
NAME	Matthew D. Asbell				
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	trademarks@offitkurman.com				
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	matthew.asbell@offitkurman.com; alison.pratt@offitkurman.com; tom.pitegoff@offitkurman.com				
DOCKET/REFERENCE NUMBER	0565-26.09				
GOODS AND/OR SERVICES SECTION					
INTERNATIONAL CLASS	030				
GOODS OR SERVICES	Tea; tea-based flavored drinks and beverages; tea-based slush-type drinks; pastries containing tea, Tea-based smoothies				
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3 \\ 8150002.JPG				
	\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3 \\ 8150003.JPG				
	\\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3 \\\\8150004.JPG				
SPECIMEN DESCRIPTION	photos showing the mark on the product				
WEBPAGE URL	None Provided				
WEBPAGE DATE OF ACCESS	None Provided				
INTERNATIONAL CLASS	032				
GOODS OR SERVICES	fruit-flavored smoothies containing tea; fruit-flavored slush-type drinks containing tea				
SPECIMEN FILE NAME(S)	\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3 \\ 8150005.JPG				
SPECIMEN DESCRIPTION	photo of the mark on the product				
WEBPAGE URL	None Provided				
WEBPAGE DATE OF ACCESS	None Provided				
OWNER SECTION (current)					

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NAME	KF Tea USA Inc.				
MAILING ADDRESS	589 Eighth Avenue, 17th Floor				
CITY	New York				
STATE	New York				
ZIP/POSTAL CODE	10018				
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
EMAIL	XXXX				
OWNER SECTION (proposed)					
NAME	KF Tea USA Inc.				
MAILING ADDRESS	589 Eighth Avenue, 17th Floor				
CITY	New York				
STATE	New York				
ZIP/POSTAL CODE	10018				
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States				
EMAIL	XXXX				
LEGAL ENTITY SECTION (current)					
ТҮРЕ	corporation				
STATE/COUNTRY/REGION/JURISDICTION/U.S. TERRITORY OF INCORPORATION	New York				
PAYMENT SECTION					
NUMBER OF CLASSES	2				
NUMBER OF CLASSES PAID	2				
COMBINED §§ 8 & 15 FILING FEE PER CLASS	850				
TOTAL FEE PAID	850				
SIGNATURE SECTION					
ORIGINAL PDF FILE	hw_1003624134-112115449 . KFT_affidavit_signed_11-19-21.pdf				
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3\\\8150006.JPG				
	\\TICRS\EXPORT18\IMAGEOUT 18\860\607\86060777\xml3\\ 8150007.JPG				
SIGNATORY'S NAME	Michael Wen				
SIGNATORY'S POSITION	CEO				
SIGNATURE METHOD	Handwritten				
PAYMENT METHOD	DA				
FILING INFORMATION					
SUBMIT DATE	Sat Nov 20 11:30:06 ET 2021				
	USPTO/S08N15-XXX.XXX.XX X-20211120113006958815-48 57505-781171b09de36924e66				

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-	TEAS STAMP	19e517a41c65627b4eb707e78
		6bd6e84f4bc3b3d71e643-DA-
		30040005-2021112011211544 9752
		7132

PTO- 1583

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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#### Combined Declaration of Use and Incontestability under Sections 8 & 15

#### To the Commissioner for Trademarks:

REGISTRATION NUMBER: 4857505 REGISTRATION DATE: 11/24/2015

MARK: KUNG FU TEA

Current: The owner, KF Tea USA Inc., a corporation of New York, having an address of

589 Eighth Avenue, 17th Floor New York, New York 10018 United States XXXX

Proposed: The owner, KF Tea USA Inc., a corporation of New York, having an address of

589 Eighth Avenue, 17th Floor New York, New York 10018 United States XXXX

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 030, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: Tea; tea-based flavored drinks and beverages; tea-based slush-type drinks; pastries containing tea, Tea-based smoothies; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photos showing the mark on the product.

Specimen File1 Specimen File2

Specimen File3

Webpage URL: None Provided

Webpage Date of Access: None Provided

For International Class 032, the mark is in use in commerce on or in connection with **all** of the goods/**all** of the services, or to indicate membership in the collective membership organization, listed in the existing registration for this specific class: fruit-flavored smoothies containing tea; fruit-flavored slush-type drinks containing tea; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods/**all** services, or to indicate membership in the collective membership organization, listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods/services, or to indicate membership in the collective membership organization, exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one(or more) specimen(s) for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) photo of the mark on the product.

Specimen File1

Webpage URL: None Provided

Webpage Date of Access: None Provided

The owner's/holder's current attorney information: Matthew D. Asbell. Matthew D. Asbell of Offit Kurman, P.A., is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

590 Madison Avenue, 6th Floor New York, New York 10022 United States

The docket/reference number is 0565-26.09.

The phone number is 9294760048.

The fax number is 212.545.1656.

The email address is trademarks@offitkurman.com

The owner's/holder's proposed attorney information: Matthew D. Asbell. Matthew D. Asbell of Offit Kurman, P.A., is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

590 Madison Avenue, 6th Floor New York, New York 10022 United States

The docket/reference number is 0565-26.09.

The phone number is 9294760048.

The fax number is 212.545.1656.

The email address is trademarks@offitkurman.com

Matthew D. Asbell submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

#### **Correspondence Information (current):**

Matthew D. Asbell

 $PRIMARY\ EMAIL\ FOR\ CORRESPONDENCE:\ trademarks@offitkurman.com$ 

 $SECONDARY\ EMAIL\ ADDRESS(ES)\ (COURTESY\ COPIES):\ matthew. as bell@offitkurman.com;\ alison.pratt@offitkurman.com;\ tom.pitegoff@offitkurman.com$ 

The docket/reference number is 0565-26.09.

#### **Correspondence Information (proposed):**

Matthew D. Asbell

PRIMARY EMAIL FOR CORRESPONDENCE: trademarks@offitkurman.com

 $SECONDARY\ EMAIL\ ADDRESS(ES)\ (COURTESY\ COPIES):\ matthew. as bell @offitkurman.com;\ alison.pratt @offitkurman.com;\ tom.pitegoff @offitkurman.com$ 

The docket/reference number is 0565-26.09.

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$850 will be submitted with the form, representing payment for 2 class(es), plus any additional grace period fee, if necessary.

#### **Declaration**

#### Original PDF file:

hw 1003624134-112115449 . KFT affidavit signed 11-19-21.pdf

Converted PDF file(s) (2 pages)

Signature File1
Signature File2

Signatory's Name: Michael Wen

### 

Signatory's Position: CEO Signature method: Handwritten

#### Mailing Address (current):

Offit Kurman, P.A. 590 Madison Avenue, 6th Floor New York, New York 10022

#### Mailing Address (proposed):

Offit Kurman, P.A. 590 Madison Avenue, 6th Floor New York, New York 10022

Serial Number: 86060777

Internet Transmission Date: Sat Nov 20 11:30:06 ET 2021

TEAS Stamp: USPTO/S08N15-XXX.XXX.XXX.XXX-2021112011300

6958815-4857505-781171b09de36924e6619e51 7a41c65627b4eb707e786bd6e84f4bc3b3d71e64 3-DA-30040005-20211120112115449752 Case 3:23-cv-02860-X Document 1-15 Filed 12/27/23 Page 9 of 15 PageID 352









#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Registrant:

KF TEA USA INC.

Registration No.:

4857505

Trademark:

KUNG FU TEA

BOX ITU -- FEE Commissioner for Trademarks 2900 Crystal Drive Arlington, VA 22202-3513

#### AFFIDAVIT OF USE UNDER 37 C.F.R. 2.160, 15 U.S.C. 1058(d)

Registrant requests that the above-identified trademark/service mark registration in the United States Patent and Trademark Office be maintained in full force and effect. At least one (1) specimen per class showing the mark as used in commerce is submitted with this affidavit.

☑ Unless the owner has specifically claimed excusable nonuse, the mark is in use in commerce on or in connection with the goods/services or to indicate membership in the collective membership organization identified above, as evidenced by the attached specimen(s).

Registrant is using the mark in commerce on or in connection with the *all* of the goods/services identified in the registration, *except* the following, which shall be deleted from the registration:

- ☑ Unless the owner has specifically claimed excusable nonuse, the specimen(s) shows the mark as currently used in commerce on or in connection with the goods/services/collective membership organization.
- ☑ To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of this submission and the registration, declares that he/she is properly authorized to execute this Affidavit of Use on

OK Ref: 05650026.00009



behalf of the registrant and that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

KF TEA USA IN

Signature

Name:

Title:

Date

4813-4071-0129, v. 1

OK Ref: 05650026.00009

### **ROUTING SHEET TO POST REGISTRATION (PRU)**

**Registration Number:** 4857505

erial Number: 86060777

RAM Sale Number: 4857505

RAM Accounting Date: 20211122 Total Fees: \$850

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	Fee	Transaction	Fee per	Number	Number of	Total
	<u>Code</u>	<u>Date</u>	<u>Class</u>	of Classes	Classes Paid	<u>Fee</u>
§8 affidavit	7205	20211120	\$225	2	2	\$450
§15 affidavit	7208	20211120	\$200	2	2	\$400

Physical Location: MADCD- NO PHYSICAL FILE

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

**Transaction Date:** 20211120

